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SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

March 12, 2015

Water System No. 2700511

Mr. Don Rosa  
General Manager  
Normco Water Company  
136 San Juan Road  
Royal Oaks, CA 95076

Attention Mr. Rosa:

### CITATION NO. 02-05-15C-002

### BACTERIOLOGICAL MONITORING AND REPORTING VIOLATION FOR JANUARY 2015

Enclosed is a Citation issued to the Normco Water Company (Normco WC).

Normco WC will be billed at the State Water Resources Control Board Division of Drinking Water's (Division) hourly rate (currently estimated at \$128.00) for the time spent on issuing this Citation. Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including, but not limited to, preparing, issuing, and monitoring compliance with a citation. At this time, the Division has spent approximately two hours on enforcement activities associated with this violation.

Normco WC will receive a bill sent from our Division of Drinking Water Fee Billing Unit in Fall 2015 which will contain fees for any enforcement time spent on Normco WC for the current fiscal year.

If you have any questions regarding this matter, please contact Shaminder Kler at (831) 655-6938 or me at (831) 655-6934.

Sincerely,

Jan R. Sweigert, P.E.  
District Engineer, Monterey District Office  
Northern California Field Operations Branch  
Drinking Water Program

Enclosures

**CERTIFIED MAIL NO. 7008-1830-0004-5435-4514**

cc: Monterey County Environmental Health Department

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1 Lower Ragsdale, Bldg. 1, Suite 120, Monterey, CA 93940 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**TO:** Normco Water Company  
Water System No. 2700511

**Attn:** Mr. Don Rosa  
General Manager  
Normco Water Company  
136 San Juan Road  
Royal Oaks, CA 95076

**CITATION FOR NONCOMPLIANCE**  
**BACTERIOLOGICAL MONITORING AND REPORTING VIOLATION**  
**JANUARY 2015**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter “California SDWA”), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues a citation to the Normco Water Company (hereinafter "Normco WC") for failure to comply with bacteriological monitoring and reporting requirements as specified in Title 22, California Code of Regulations (CCR), Section 64423(a) and (c).

**APPLICABLE AUTHORITIES**

**Section 116650 of California Health and Safety Code provides:**

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

**California Code of Regulations, Title 22, Section 64423, subsections (a) and (c) provide, in relevant part:**



1 (a) that each water supplier shall collect routine bacteriological samples  
2 based on the classification of the water system, the source of the water,  
3 the known population served, or the total number of service connections.  
4

5 (c) that analytical results for all required samples collected for a system in a  
6 calendar month shall be reported to the Division not later than the tenth  
7 day of the following month.  
8

9 **STATEMENT OF FACTS**

10 Normco WC is classified as a community water system with 272 connections serving  
11 a population of 928. By electronic mail dated February 5, 2015, the Normco WC  
12 notified Division staff of the failure to collect one of two required monthly distribution  
13 samples for the month of January 2015. On February 6, 2015, the Division received a  
14 laboratory result for one routine distribution bacteriological sample and one raw water  
15 bacteriological sample, collected on January 20, 2015. Both samples tested negative  
16 for coliform bacteria.  
17

18 The Normco WC failed to collect the required number of routine distribution  
19 bacteriological water samples and report the analytical results to the Division pursuant  
20 to Sections 64423(a) and 64423.1(c), Chapter 15, Title 22, CCR for January 2015.  
21 This constitutes a violation of bacteriological monitoring and reporting requirements  
22 for compliance with the Total Coliform Rule for the Normco WC during the month of  
23 January 2015.  
24

25 On March 4, 2015, the Division received laboratory results for two distribution  
26 samples and one raw water sample, collected during February 2015. Therefore, the

1 Normco WC has returned to compliance with bacteriological monitoring and reporting  
2 requirements.

3  
4 **DETERMINATION**

5 The Division has determined that the Normco WC violated Section 64423(a) and (c),  
6 Title 22, CCR in January 2015. The Normco WC failed to monitor and report the  
7 required number (2) of routine bacteriological sample results for the month of January  
8 2015.

9  
10 **DIRECTIVES**

11 Normco WC is hereby directed to take the following actions:

- 12
- 13 1. Forthwith, Normco WC shall cease and desist from failing to comply with Section  
14 64423, Title 22, CCR.  
15
  - 16 2. On or before **April 30, 2015**, notify all persons served by the Normco WC of the  
17 bacteriological monitoring and reporting violation in conformance with Sections  
18 64463.4 and 64465, Title 22, CCR. The Public Notification Template in Appendix  
19 1 may be used to fulfill this directive, **provided the corrective actions section**  
20 **and contacts section of the template are completed prior to notification.**  
21
  - 22 3. The Normco WC shall complete Appendix 2: Compliance Certification. Submit it  
23 together with a copy of the public notification required in Directive 2 to the Division  
24 on or before **May 10, 2015**.  
25

1 The Division reserves the right to make such modifications to this Citation as it may  
2 deem necessary to protect public health and safety. Such modifications may be  
3 issued as amendments to this Citation, and shall be deemed effective upon issuance.  
4 Nothing in this Citation relieves Normco WC of its obligation to meet the requirements  
5 of the California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4,  
6 commencing with Section 116270), or of any regulation, permit, standard, or order  
7 issued or adopted thereunder.

8  
9 All submittals required by this Citation shall be submitted to the Division at the  
10 following address:

11  
12 Jan R. Sweigert, P.E.  
13 District Engineer, Monterey District Office  
14 Northern California Field Operations Branch  
15 Division of Drinking Water  
16 1 Lower Ragsdale Drive, Building 1, Suite 120  
17 Monterey, CA 93940

18  
19 **PARTIES BOUND**

20 This Citation shall apply to and be binding upon Normco WC, its officers, directors,  
21 shareholders, agents, employees, contractors, successors, and assignees.

22 **SEVERABILITY**

23 The Directives of this Citation are severable, and the Normco WC shall comply with  
24 each and every provision thereof, notwithstanding the effectiveness of any other  
25 provision.

26  
27 **FURTHER ENFORCEMENT ACTION**

28 The California SDWA authorizes the Board to: issue a citation with assessment of  
29 administrative penalties to a public water system for violation or continued violation of



1 the requirements of the California SDWA or any regulation, permit, standard, citation,  
2 or order issued or adopted thereunder including, but not limited to, failure to correct a  
3 violation identified in a citation or compliance order. The California SDWA also  
4 authorizes the Board to take action to suspend or revoke a permit that has been  
5 issued to a public water system if the public water system has violated applicable law  
6 or regulations or has failed to comply with an order of the Board; and to petition the  
7 superior court to take various enforcement measures against a public water system  
8 that has failed to comply with violates an order of the Board. The Board does not  
9 waive any further enforcement action by issuance of this Order.

10 3/12/2015

11 Date

12 Jan R. Sweigert

13 Jan R. Sweigert, P.E.

14 District Engineer, Monterey District Office  
15 Northern California Field Operations Branch  
16 Division of Drinking Water

17 Appendices (2):

- 18  
19 1. Public Notification Template  
20 2. Compliance Certification  
21

22 **CERTIFIED MAIL NO. 7008-1830-0004-5435-4514**



## Instructions for Tier 3 Monitoring Violations Annual Notice Template

### Template Attached

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.7(b)]. Multiple monitoring violations can be serious. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].**

### Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.7(c)(1)]	Mail or direct delivery <sup>(a)</sup>	Publication in a local newspaper
		Posting <sup>(b)</sup> in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.7(c)(2)]	Posting in conspicuous locations throughout the area served by the water system <sup>(b)</sup>	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting <sup>(b)</sup> on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.



The notice attached is appropriate for the methods described above, insertion in an annual notice, or included in the Consumer Confidence Report<sup>1</sup>. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the standard language for monitoring and testing procedure violations and notification language in italics unchanged. This language is mandatory [64465].

You may need to modify the template for a notice for individual monitoring violations. The template presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice (e.g., in a footnote). An example is shown in the table below.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
VOCs <sup>(a)</sup>	1 sample every 3 years	None	2002 – 2005	February 2006

(a) Benzene; Carbon Tetrachloride; 1,2-Dichlorobenzene; 1,4-Dichlorobenzene; 1,1-Dichloroethane; 1,2-Dichloroethane; 1,1-Dichloroethylene; cis-1,2-Dichloroethylene; trans-1,2-Dichloroethylene; Dichloromethane; 1,2-Dichloropropane; 1,3-Dichloropropane; Ethylbenzene; Methyl-*tert*-butyl ether; Monochlorobenzene; Styrene; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene; Toluene; 1,2,4-Trichlorobenzene; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; Trichloroethylene; Trichlorofluoromethane; 1,1,2-Trichloro-1,2,2-Trifluoroethane; Vinyl Chloride; and Xylenes.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

### **Multilingual Requirement**

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to

<sup>1</sup> CCR may be used as long as public notification timing, content, and delivery requirements are met [64463.7(d)].

obtain a translated copy of the notice from the water system or assistance in the appropriate language.

### **Population Served**

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

### **Corrective Actions**

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- "We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards."
- "We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]"
- "We plan to take the required samples soon, as described in the last column of the table above."

### **After Issuing the Notice**

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DDW sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.

### Bacteriological Monitoring and Reporting Requirements Not Met for Normco Water Company

Our water system failed to monitor as required for drinking water standards during January 2015 and, therefore, was in violation of the regulations. Even though this failure was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

*We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During January 2015, we did not collect the correct number of bacteriological samples from the distribution system and therefore, cannot be sure of the quality of our drinking water during that time.*

#### What should I do?

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the last year, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

<i>Contaminant</i>	<i>Required Sampling Frequency</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were or Will Be Taken</i>
Coliform	2 samples per month	1	January 2015	February 2015

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

#### What happened? What is being done?

[Describe corrective action].



For more information, please contact [name of contact] at [phone number] or [mailing address].

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

### **Secondary Notification Requirements**

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Normco Water Company.

State Water System ID#: 2700511

Date distributed: \_\_\_\_\_

System Representative Signature: \_\_\_\_\_

## APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number 02-05-15C-002

Name of Water System: Normco Water Company

System Number: 2700511

I certify that the users of the water supplied by this water system were notified of the bacteriological monitoring and reporting violation of Title 22, California Code of Regulations, Section 64423 for the compliance period of January 2015 and that the following actions, as directed in 02-05-15C-002, have been completed:

<u>Required Action</u>	<u>Date Completed</u>
(Citation Directive 2) Public Notification-Mail or Direct Delivery and Other Notification Methods Completed	
(Citation Directive 3) Submit Compliance Certification and a copy of the distributed Public Notification	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

\*\*\* Attach a copy of the notice distributed. \*\*\*

<b>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN MAY 10, 2015</b>
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**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.